



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 2, 2013

BY FAX

The Honorable Leonard B. Sand
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1650
New York, New York 10007

Re: United States v. Darwin Melo,
08 Cr. 1050 (LBS)

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 01/03/13

Dear Judge Sand:

On November 29, 2012, the Darwin Melo, through counsel, submitted a letter to Your Honor requesting resentencing pursuant to Federal Rule of Criminal Procedure 35. On December 3, 2012, Your Honor entered an Order directing the United States Attorney for the Southern District of New York to respond by ~~January 20, 2012~~. Since the AUSA who originally handled this matter has since left the United States Attorney's Office, no one received Your Honor's Order. In light of the foregoing, the Government respectfully requests two weeks to respond. Were the Court to grant this request, the Government's response would be due by January 16, 2013.

MEMO ENDORSED

Respectfully submitted,

PREET BHARARA
United States Attorney

Leonard B. Sand
Adjournment granted on
consent
01/03/13

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cc: J. Roberto Cardenas (by email)